

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

VS.

3:09cr240

CHRISTOPHER MOODY

MOTION TO CONTINUE TRIAL

Comes now, the Defendant, Christopher Moody by and through counsel Clayton Whittaker and moves this court pursuant to rules 17, and 18 of the Federal Rules of Criminal Procedure to continue the January 29, 2013 trial date. For grounds the Defendant would state:

1. Counsel for Defendant was appointed on 10/25/2012;
2. This is an extended and complex case with voluminous discovery;
3. Prior to the pretrial conference Defendant filed a motion to sever;
4. The court heard the motion to sever on 1/4/2013 and granted the motion to sever;
5. The court's ruling required the Defendant to enter a waiver of speedy trial rights codified at 18 U.S.C. 3161 et. seq.;
6. On January 16<sup>th</sup> the Defendant filed a Notice Pro Se indicating that he did not waive his speedy trial rights and was ready for trial;
7. Since the severance on January 4, 2013, counsel for the Defendant stopped trial preparations in anticipation of a future trial date;
8. Counsel for Defendant has used the time which was set aside for the trial of this case to set other legal matters, some in other federal courts;

*ON WED  
This motion  
is set for a  
hearing on January  
28, 2013 at*

*4:30 pm and  
counsel for*

*all  
parties  
shall be  
present.*

*S. M. J.  
1-23-13*